

ASSEMBLY BILL

No. 503

Introduced by Assembly Member Lieber

February 16, 2005

An act to add Section 11216 to the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 503, as introduced, Lieber. CalWORKs: bill of rights.

Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program and other social services programs, under which each county provides cash assistance and other benefits to qualified low-income families and individuals.

This bill would require the State Department of Social Services to prepare a bill of rights that includes specified rights and to ensure that each county provides each CalWORKs recipient a copy of that bill of rights in his or her native language.

To the extent this bill would increase the responsibilities of counties in the administration of the CalWORKs program, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 11216 is added to the Welfare and Institutions Code, to read:

11216. (a) The department shall prepare a bill of rights that includes all of the rights described in subdivision (b) and shall ensure that each county shall provide to each applicant and recipient under this chapter a copy of that bill of rights in the native language of the applicant or recipient.

(b) The bill of rights prepared under this section shall include, but need not be limited to, the right to all of the following:

(1) Courteous, respectful, and fair treatment.

(2) Professional and competent services provided by department and county welfare workers that will allow the recipient to meet his or her personal and family goals.

(3) Receive all information in the native language of the recipient and translation services made available as needed.

(4) Reasonable accommodations for disabilities.

(5) Receive cash grants in a timely manner.

(6) To apply for transportation benefits for welfare-to-work activities.

(7) To apply for an exemption from welfare-to-work activities and time limits if the recipient has a disability or is caring for a disabled relative.

(8) To apply for child care assistance.

(9) To be exempt from time limits if unable to work as a result of domestic violence and its effects.

(10) To have education courses count as work activity and receive cash grants to purchase appropriate education materials.

(11) A process allowing for the establishment of good cause before a sanction is imposed and the provision of a reasonable time for the good cause process to occur.

(12) Be informed at the time of a sanction what the requirements are for continuing cash assistance, Medicaid, and food stamps and to appeal a sanction.

(13) A fair hearing, provided upon request, to be held within 10 days of the request or to be notified by mail with five days' notice or to have the hearing scheduled at the time of the request.

(14) Have a third party present at a fair hearing with the county welfare department, have a third party accompany them

1 to meetings and appointments and receive a list of advocacy
2 organizations in the community.

3 (15) View all information in the recipient's personal case file
4 located at any office of the county welfare department and to
5 correct information that has been recorded incorrectly by filing a
6 statement with the correct information.

7 (16) Timely correction of any error made in the calculation of
8 benefits and any financial restitution which may be required.

9 SEC. 2. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.